

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2011

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

**FIFTY-SECOND DAY
APRIL 20, 2011**

OFFICE OF THE CHIEF CLERK

A handwritten signature, possibly reading "BT", is written in black ink over the bottom right corner of the page, partially overlapping the "OFFICE OF THE CHIEF CLERK" text.

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FIFTY-SECOND DAY

Wednesday, April 20, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 11:39 o'clock a.m., with Vice Speaker Manahan presiding, after which the Roll was called showing all Members present with the exception of Representatives Aquino, Cabanilla, Carroll, Ching, M. Oshiro and Tsuji.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-First Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 646 through 651) were received and announced by the Clerk:

Sen. Com. No. 646, transmitting H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO SUPPORT THE EDUCATION OF HAWAII'S DRIVERS REGARDING THEIR RESPONSIBILITIES TO BLIND PEDESTRIANS," which was adopted by the Senate on April 19, 2011.

Sen. Com. No. 647, transmitting H.C.R. No. 319, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JAPANESE CONSUL GENERAL IN HONOLULU TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," which was adopted by the Senate on April 19, 2011.

Sen. Com. No. 648, dated April 19, 2011, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 44, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Kim	H.B. No. 300, HD 2, SD 2	Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom
H.B. No. 49, HD 1, SD 1	Espero, Chair; Hee, Co-Chair; Slom	H.B. No. 306, HD 1, SD 2	Fukunaga, Chair; Gabbard/Ige, Co-Chairs; Baker, Slom
H.B. No. 56, HD 2, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Shimabukuro, Slom	H.B. No. 326, HD 1, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Green, Slom
H.B. No. 70, HD 2, SD 1	Chun Oakland, Chair; Ige, Co-Chair; Fukunaga, Slom	H.B. No. 354, HD 1, SD 2	Hee, Chair; Shimabukuro/Kidani, Co-Chairs; Slom
H.B. No. 117, HD 2, SD 2	Dela Cruz, Chair; Solomon/Gabbard, Co-Chairs; Slom	H.B. No. 377, HD 2, SD 2	Galuteria, Chair; Dela Cruz/Hee, Co-Chairs; Slom
H.B. No. 141, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 381, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 160, HD 2, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Green, Ihara, Slom	H.B. No. 382, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom
H.B. No. 240, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 389, HD 3, SD 2	Dela Cruz, Chair; Solomon/Ige, Co-Chairs; Slom
H.B. No. 243, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 397, HD 2, SD 2	Galuteria, Chair; Kidani/Shimabukuro, Co-Chairs; Solomon, Slom
H.B. No. 257, HD 2, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Kim	H.B. No. 404, HD 1, SD 1	Chun Oakland, Chair; Ige, Co-Chair; Ihara, Slom
H.B. No. 298, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 423, HD 1, SD 1	Gabbard, Chair; Ige, Co-Chair; Slom
H.B. No. 299, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 439, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
		H.B. No. 467, HD 2, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Kim
		H.B. No. 519, HD 1, SD 2	Hee, Chair; Shimabukuro/Kidani, Co-Chairs; Slom
		H.B. No. 545, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
		H.B. No. 546, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Kim
		H.B. No. 555, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
		H.B. No. 563, HD 1, SD 1	Gabbard, Chair; Ige, Co-Chair; Slom
		H.B. No. 569, HD 1, SD 2	Chun Oakland, Chair; Ige/Green, Co-Chairs; Slom
		H.B. No. 593, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Kim
		H.B. No. 594, HD 2, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Slom
		H.B. No. 596, HD 1, SD 1	Chun Oakland, Chair; Ige, Co-Chair; Kahele
		H.B. No. 616, HD 2, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Slom

H.B. No. 638, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Kim	H.B. No. 1036, HD 1, SD 2	Espero, Chair; Hee/Kidani, Co-Chairs; Slom
H.B. No. 640, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 1038, HD 2, SD 2	Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom
H.B. No. 680, SD 2	Dela Cruz, Chair; Solomon, Co-Chair; Galuteria, Ryan	H.B. No. 1039, HD 1, SD 2	English, Chair; Ige/Kim, Co-Chairs; Kouchi
H.B. No. 716, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 1041, HD 2, SD 2	Hee, Chair; Ige, Co-Chair; Shimabukuro
H.B. No. 739, HD 2, SD 1	Chun Oakland, Chair; Ihara, Slom	H.B. No. 1052, HD 2, SD 1	Baker, Chair; Taniguchi, Slom
H.B. No. 758, HD 1, SD 2	Chun Oakland, Chair; Ige, Co-Chair; Fukunaga, Slom	H.B. No. 1056, HD 1, SD 2	Tokuda, Chair; Kidani, Co-Chair; Slom
H.B. No. 761, HD 1, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Green, Slom	H.B. No. 1063, HD 1, SD 1	Galuteria, Chair; Kidani/Kahele, Co-Chairs; Slom
H.B. No. 786, HD 2, SD 2	Gabbard, Chair; Ige, Co-Chair; Ihara	H.B. No. 1069, HD 2, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 801, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom	H.B. No. 1070, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom
H.B. No. 814, HD 1, SD 1	Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom	H.B. No. 1076, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom
H.B. No. 838, HD 2, SD 1	Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom	H.B. No. 1088, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 855, HD 1, SD 1	Gabbard, Chair; Ige, Co-Chair; Slom	H.B. No. 1092, HD 1, SD 3	Hee, Chair; Ige, Co-Chair; Shimabukuro
H.B. No. 909, HD 2, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Shimabukuro, Slom	H.B. No. 1107, HD 1, SD 2	Espero, Chair; Hee, Co-Chair; Slom
H.B. No. 916, SD 1	Chun Oakland, Chair; English/Ige, Co-Chairs	H.B. No. 1138, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom
H.B. No. 960, HD 1, SD 2	Dela Cruz, Chair; Solomon/Ige, Co-Chairs; Slom	H.B. No. 1155, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 968, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 1221, HD 1, SD 2	Espero, Chair; Baker/Hee, Co-Chairs; Slom
H.B. No. 983, HD 2, SD 1	Fukunaga, Chair; Ige, Co-Chair; Slom	H.B. No. 1241, HD 2, SD 2	English, Chair; Baker/Hee, Co-Chairs; Slom
H.B. No. 1001, HD 2, SD 2	Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom	H.B. No. 1286, HD 2, SD 1	Gabbard, Chair; Ige, Co-Chair; Slom
H.B. No. 1003, HD 2, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Fukunaga, Shimabukuro, Slom	H.B. No. 1330, HD 1, SD 2	Tokuda, Chair; Green/Ige, Co-Chairs
H.B. No. 1004, HD 1, SD 1	Baker, Chair; Hee, Co-Chair; Slom	H.B. No. 1333, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1005, HD 2, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Slom	H.B. No. 1368, HD 2, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1009, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom	H.B. No. 1376, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1012, HD 1, SD 2	Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom	H.B. No. 1407, HD 1, SD 2	Chun Oakland, Chair; Hee, Co-Chair; Shimabukuro, Slom
H.B. No. 1019, HD 1, SD 2	Gabbard, Chair; Nishihara/Ige, Co-Chairs	H.B. No. 1513, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro, Slom

H.B. No. 1532, HD 2, SD 2 Espero, Chair; Hee, Co-Chair; Slom

H.B. No. 1613, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Kim

H.B. No. 1640, HD 2, SD 1 Espero, Chair; Hee, Co-Chair; Slom

Sen. Com. No. 649, dated April 19, 2011, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 146, SD 1, HD 2 Gabbard, Chair; English/Ige, Co-Chairs

S.B. No. 239, SD 2, HD 2 Tokuda, Chair; Green/Ige, Co-Chairs

S.B. No. 367, SD 3, HD 2 Gabbard, Chair; Baker/Ige, Co-Chairs; English

S.B. No. 699, SD 2, HD 2 Gabbard, Chair; Ige, Co-Chair; Ihara

S.B. No. 725, SD 2, HD 1 Gabbard, Chair; Ige, Co-Chair; Ihara

S.B. No. 752, SD 2, HD 1 Fukunaga, Chair; Espero, Co-Chair; Baker, Dela Cruz, Slom

S.B. No. 756, SD 2, HD 1 Fukunaga, Chair; Ige/Gabbard, Co-Chairs; Baker

S.B. No. 946, SD 1, HD 1 Hee, Chair; Ige, Co-Chair; Shimabukuro

S.B. No. 986, SD 2, HD 3 Galuteria, Chair; Kidani/Shimabukuro, Co-Chairs; Slom

S.B. No. 1040, SD 1, HD 2 Hee, Chair; Ige, Co-Chair; Shimabukuro

S.B. No. 1055, SD 1, HD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

S.B. No. 1061, SD 1, HD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

S.B. No. 1062, SD 1, HD 1 Hee, Chair; Shimabukuro/Kidani, Co-Chairs; Kim

S.B. No. 1068, SD 1, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 1069, SD 1, HD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

S.B. No. 1073, SD 2, HD 2 Hee, Chair; Shimabukuro/Kidani, Co-Chairs

S.B. No. 1078, SD 2, HD 1 Hee, Chair; Ige, Co-Chair; Shimabukuro

S.B. No. 1079, SD 2, HD 2 Hee, Chair; Nishihara/Ige, Co-Chairs; Shimabukuro, Slom

S.B. No. 1083, SD 1, HD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

S.B. No. 1088, SD 1, HD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

S.B. No. 1095, SD 1, HD 1 Hee, Chair; Kidani, Co-Chair; Shimabukuro

S.B. No. 1186, SD 2, HD 1 Kim, Chair; Ige/Kouchi, Co-Chairs; English, Tokuda

S.B. No. 1269, SD 2, HD 2 Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom

S.B. No. 1290, SD 1, HD 2 Galuteria, Chair; Kidani/Kahele, Co-Chairs; Slom

S.B. No. 1328, SD 1, HD 2 English, Chair; Ige/Kouchi, Co-Chairs; Galuteria, Kahele

S.B. No. 1329, SD 1, HD 2 English, Chair; Ige/Kouchi, Co-Chairs; Galuteria, Kahele

S.B. No. 1341, SD 2, HD 1 Hee, Chair; Ige, Co-Chair; Shimabukuro, Slom

S.B. No. 1393, SD 2, HD 2 Dela Cruz, Chair; Ige, Co-Chair; Kouchi, Solomon, Slom

S.B. No. 1482, SD 1, HD 1 Gabbard, Chair; Baker/Ige, Co-Chairs; Ihara

S.B. No. 1489, SD 1, HD 1 Hee, Chair; Shimabukuro/Ige, Co-Chairs; Slom

S.B. No. 1520, SD 2, HD 3 Galuteria, Chair; Hee/Ige, Co-Chairs; Kahele, Solomon

S.B. No. 1530, SD 1, HD 2 Kim, Chair; Dela Cruz/Ige, Co-Chairs; Solomon, Slom

Sen. Com. No. 650, dated April 18, 2011, informing the House that the President has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 850, HD 1, SD 2 Senator Kahele added as conferee.

S.B. No. 23, SD 1, HD 2 Senator Kahele added as conferee.

Sen. Com. No. 651, dated April 19, 2011, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 169, HD 2, SD 2 Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 575, HD 1, SD 2 Hee, Chair; Ige, Co-Chair; Shimabukuro, Ihara, Slom

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communication (Misc. Com. No. 8) was received by the Clerk and was placed on file:

Misc. Com. No. 8, dated April 13, 2011, from Bonnie Alexander, Chief Clerk of the House of Representatives of the State of Idaho, transmitting House Joint Memorial no. 1 which was adopted by the House of Representatives and the State Senate during the First Regular Session of the Sixty-first Idaho Legislature.

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. Awana
Rep. Ito
Rep. Cabanilla
Rep. Ward
Rep. Jordan
Rep. Thielen

ORDER OF THE DAY**REPORTS OF STANDING COMMITTEES**

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1741), recommending that S.C.R. No. 134, SD 1, be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 134, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A WORKING GROUP TO INVESTIGATE THE CREATION OF A LOCALLY-FOCUSED, HAWAII-BASED STOCK EXCHANGE," was referred to the Committee on Finance, with Representatives Carroll, Ching and Tsuji being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representatives Carroll, Ching and Tsuji were excused.)

FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Carroll, Ching and Tsuji were excused.)

H.B. No. 389, HD 3, (SD 2)
H.B. No. 1004, HD 1, (SD 1)

H.B. No. 389, HD 3, SD 2:

Representative B. Oshiro moved that H.B. No. 389, HD 3, SD 2, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ito
Rep. Thielen
Rep. Chong
Rep. Wooley
Rep. C. Lee
Rep. Har
Rep. McKelvey

TO BE INSERTED: Rep. Ito
Rep. Chong
Rep. C. Lee
Rep. Har

(Submit by Tuesday, April 26)

The motion was put to vote by the Chair and carried, and H.B. No. 389, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Final Reading by a vote of 48 ayes, with Representatives Carroll, Ching and Tsuji being excused.

H.B. No. 1004, HD 1, SD 1:

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.B. No. 1004, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," passed Final Reading by a vote of 48 ayes, with Representatives Carroll, Ching and Tsuji being excused.

At 11:52 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 389, HD 3, SD 2
H.B. No. 1004, HD 1, SD 1

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. M. Lee
Rep. Tokioka
Rep. C. Lee

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.C.R.</u> <u>Nos.</u>	<u>Re-referred to:</u>
2, SD1	Committee on Finance
111, SD1	Committee on Economic Revitalization & Business
124, SD2	Committee on Finance
127, SD1	Committee on Legislative Management

ADJOURNMENT

At 11:54 o'clock a.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 21, 2011. (Representatives Carroll, Ching and Tsuji were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 20, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 1308, HD 2, SD 2	Added Representative Yamashita and Ward as members.
S.B. No. 318, SD 2, HD 2	Added Representative Yamashita and Ward as members.

House Communication dated April 20, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 49, HD 1, SD 1	Discharged all conferees.
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House Communication dated April 20, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

S.B. No. 1065, Representative Fontaine replaced Representative
SD 1, HD 1 Ward as conferee.

House Communication dated April 20, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 1038, Discharged all conferees
HD 2, SD 2

House Communication dated April 20, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 397, Discharged all conferees
HD 2, SD 2

H.B. No. 915, Discharged all conferees
HD 2, SD 2

House Communication dated April 20, 2011, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 389, HD 3, SD 2
H.B. No. 1004, HD 1, SD 1